

1 HONORABLE RONALD B. LEIGHTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 UNITED STATES OF AMERICA, on its
11 own behalf and as trustee on behalf of the
Lummi Nation,

12 Plaintiff,

13 v.

14 KEITH E. MILNER and SHIRLEY A.
15 MILNER, et al,

16 Defendants,

17 THE LUMMI NATION,

18 Intervenor-Plaintiff.

Case No. C01-0809 RBL

STIPULATION FOR ORDER
DIRECTING ENTRY OF JUDGMENT
UNDER FRCP 54(b); ORDER
THEREON

20 Because the United States has voluntarily dismissed its Third Claim for Relief against Mary D.
21 Sharp, Keith E. Milner and Shirley A. Milner, Ian C. Bennett and Marcia A. Boyd and no other claims
22 against these defendants remain unresolved, Plaintiff, Plaintiff-Intervenor, and all Defendants agree that
23 there is no just reason for delaying the entry of judgment and, therefore, request that judgment be entered
24 pursuant to FRCP 54 (b) in favor of Plaintiff United States and Plaintiff-Intervenor Lummi Indian Nation
25 against only Mary D. Sharp, Keith E. Milner and Shirley A. Milner, Ian C. Bennett and Marcia A. Boyd.
26 The claims of the United States against Defendant Harry Case are resolved by a separate settlement
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1 agreement and stipulation for order of dismissal which was filed with the Court on August 30, 2005. The
2 claims of the United States and the Lummi Indian Nation against Donald Walker and Shirley Walker
3 remain pending before the Court and judgment should not be entered as to those defendants.
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5 IT IS SO STIPULATED this 31st day of August 2005.
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7 JOHN McKAY
8 United States Attorney
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10 By:
11 Brian C. Kipnis
12 Assistant United States Attorney
13 Attorneys for Plaintiff,
14 United States of America
15

16 GROEN STEPHENS & KLINGE LLP
17

18 By:
19 Richard M. Stephens, WSBA #21776
20 Attorneys for Defendants,
21 Mary D. Sharp, Keith E. Milner and Shirley A. Milner,
22 Brent C. Nicholson and Mary K. Nicholson, and
23 Ian C. Bennett and Marcia A. Boyd
24

25 BRETT & DAUGERT PLLC
26

27 By: See Attached Signature Page
28 Larry Daugert, WSBA #4634
Attorney for Defendants,
Harry F. Case and
Donald and Shirley Walker
29

30 RAAS, JOHNSEN & STUEN, P.S.
31

32 By: See Attached Signature Page
33 Harry L. Johnsen, WSBA #4955
34 Attorney for Intervenor-Plaintiff, Lummi Nation
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ORDER

Upon the stipulation of the parties, and it appearing to the Court that there is no just reason for delay, IT IS HEREBY ORDERED that judgment be entered in favor of Plaintiff United States of American and Plaintiff-Intervenor Lummi Indian Nation against only Mary D. Sharp, Keith E. Milner and Shirley A. Milner, Ian C. Bennett and Marcia A. Boyd.

DATED this 2nd day of September, 2005.

Ronald B. Lightner

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE